S.B.Civil Writ Petition NO.454/2005

Sita Devi

vs

State of Rajasthan & Anr.

DATE OF ORDER : - 20.1.2005

HON'BLE MR. PRAKASH TATIA,J.

Mr. B.S.Charan, for the petitioner.

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Heard learned counsel for the petitioner.

According to learned counsel for the petitioner, the petitioner's name was entered in the voter list, copy of which is placed as Annex.4, but the petitioner's name was deleted from the voter list of ward no.4 of village Edawa. According to learned counsel for the petitioner as per rule 14 of the Rajasthan Panchayati Raj Rules, 1994, before deleting the name of any voter, an opportunity of hearing is required to be given to the concerned voter, but no such notice was given to the petitioner. According to learned counsel for the petitioner, not only this, but the petitioner's name has not been included in any of the voter list and, therefore, petitioner's right to vote has been denied totally.

It is clear from Chapter III of the Rules of 1994 that entire process has been given for preparation of the voter list in which it is clearly provided that the person, who is aggrieved against the order made under Rule 14 or 20 may prefer the appeal under Rule 21. It is also clear that the process of election has now started with the publication of election notification, therefore, in view of the above, the writ petition of the petitioner deserves to be dismissed as petitioner failed to avail the alternate remedy and further because of the reason that no relief can be granted to the petitioner at this stage.

In view of the above, the writ petition of the petitioner is hereby dismissed.

(Prakash Tatia), J.

c.p.goyal/-